

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KOBEAY SWAFFORD,

Plaintiff,

v.

RENTGROW, INC.,

Defendant.

Civil Action No. 1:24-cv-10509-PBS

**AFFIDAVIT OF TIMOTHY J. ST. GEORGE IN
SUPPORT OF RENTGROW, INC.'S MOTION
FOR SUMMARY JUDGMENT**

I, Timothy J. St. George, hereby depose under oath and swear under oath as follows:

1. I am an attorney in good standing admitted to the bar of the Commonwealth of Virginia.

2. I was admitted to appear and participate in this matter *pro hac vice* on December 10, 2024. [ECF No. 45.] I am counsel to Defendant RentGrow, Inc. The facts stated below are based upon my own personal knowledge, and, if called upon to testify as to the facts set forth herein, I could and would competently testify thereto.

3. Attached to this Affidavit as **Exhibit A** is the declaration of Lisa Legere, Director of Operations at RentGrow, Inc.

4. Attached to this Affidavit as **Exhibit B** is a true and accurate excerpt from the sworn, transcribed deposition testimony of the Wayne County Circuit Court's 30(b)(6) representative, Liza Jones, which was taken on February 26, 2025.

5. Attached to this Affidavit as **Exhibit C** is a true and accurate copy of the online Register of Actions for Case No. 05-10897-01-FC, filed against Plaintiff Kobeay Swafford in the Wayne County Circuit Court, which was produced by RentGrow in this case with Bates Nos. RG_0963-0965.

6. Attached as **Exhibit D** is a true and accurate excerpt from the sworn, transcribed deposition testimony of the Third Judicial Circuit Court of Michigan's 30(b)(6) representative, Alisha Shannon, which was taken on March 28, 2025.

7. Attached as **Exhibit E** is a true and accurate excerpt from the sworn, transcribed deposition testimony of the Michigan State Police's 30(b)(6) representative, Katrina Garrett, which was taken on March 13, 2025.

8. Attached as **Exhibit F** is a true and accurate excerpt from the sworn, transcribed deposition testimony of Cleara, LLC's 30(b)(6) representative, Joseph Davidson, which was taken on March 3, 2025.

9. Attached to this Affidavit as **Exhibit G** is a true and accurate copy of relevant portions of RentGrow's contract with Cleara, LLC, as produced by RentGrow in this case with Bates Nos. RG_0282-0283.

10. Attached to this Affidavit as **Exhibit H** is a true and accurate excerpt from the sworn, transcribed deposition testimony of Plaintiff Kobeay Swafford, which was taken on February 14, 2025.

11. Attached to this Affidavit as **Exhibit I** is a true and accurate copy of the Michigan Supreme Court's opinion in *People v. Swafford*, as produced by Plaintiff in this case with Bates Nos. SWAFFORD 0021-0039.

12. Attached to this Affidavit as **Exhibit J** are Plaintiff Kobeay Swafford's criminal history records, accessed from the Internet Criminal History Access Tool ("ICHAT"), as produced by RentGrow in this case with Bates Nos. RG_0959-0962.

13. Attached to this Affidavit as **Exhibit K** is a true and accurate copy of the documents produced by RentGrow in discovery with Bates Nos. RG_0459-0489, as discussed in the attached declaration of Lisa Legere.

14. Attached to this Affidavit as **Exhibit L** is the declaration of Michaela Noviello, Vendor Operations Specialist at RentGrow, Inc.

15. Attached to this Affidavit as **Exhibit M** is a true and accurate copy of excerpts from Plaintiff's Responses to RentGrow's First Set of Interrogatories.

16. Attached to this Affidavit as **Exhibit N** is a true and accurate copy of the document produced by RentGrow in discovery with Bates Nos. RG_0303-0318 and RG_0420-0440, as discussed in the attached declaration of Lisa Legere.

17. Attached to this Affidavit as **Exhibit O** is a true and accurate copy of the document produced by RentGrow in discovery with Bates Nos. RG_0071-0076, as discussed in the attached declaration of Lisa Legere.

18. Attached to this Affidavit as **Exhibit P** is a true and accurate copy of the document produced by RentGrow in discovery with Bates No. RG_0441, as discussed in the attached declaration of Lisa Legere.

19. Attached to this Affidavit as **Exhibit Q** is a true and accurate excerpt from the sworn, transcribed deposition testimony of Diana Sutherland, which was taken on May 7, 2025.

20. Attached to this Affidavit as **Exhibit R** is a true and accurate copy of the document produced by RentGrow in discovery with Bates Nos. RG_0516-0549, as discussed in the attached declaration of Lisa Legere.

21. Attached to this Affidavit as **Exhibit S** is a true and accurate copy of the document produced by RentGrow in discovery with Bates Nos. RG_0082-0087, as discussed in the attached declaration of Lisa Legere.

22. Attached to this Affidavit as **Exhibit T** is a true and accurate copy of the document produced by RentGrow in discovery with Bates No. RG_0959, as discussed in the attached declaration of Lisa Legere.

23. Attached to this Affidavit as **Exhibit U** is a true and accurate copy of the Expert Report of Defendant's Expert, Troy Kubes.

24. Attached to this Affidavit as **Exhibit V** is a true and accurate copy of the Evansville Housing Authority's screening criteria, with redactions, as produced by RentGrow in this case with Bates Nos. RG_0294-0296.

25. Plaintiff did not take any discovery of Mallard's Landing or its employees at any point in this case.

26. Plaintiff has not identified in discovery any medical diagnoses or medical records relating to his claim of emotional distress.

27. Plaintiff has not identified in discovery any third-party witness or expert testimony that attempts to speak to or corroborate his claims of emotional distress.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 23, 2025

/s/ Timothy J. St. George
Timothy J. St. George